

JUL 3 2008 5:41PM

APPLIED BIOSYSTEMS LEGAL2, SMITTAL

NO. 9041 P. 2

non Fee

Complete and send this form, together with applicable fee(s), to: **Mail** Mail Stop ISSUE FEE
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 or **Fax** (571)-273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

23544 7590 04/04/2008
 Applied Biosystems
 850 Lincoln Center Drive
 Foster City, CA 94404



Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

Mila T. Kasan	(Depositor's name)
<i>[Signature]</i>	(Signature)
July 3, 2008	(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/610,337	06/30/2003	Brian D. Gildea	BP9703US-DV2	2503

TITLE OF INVENTION: DETECTION OF NUCLEIC ACID USING LINEAR BEACONS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1440	\$300	\$0	\$1740	07/07/2008

EXAMINER	ART UNIT	CLASS-SUBCLASS
HORLICK, KENNETH R	1637	435-006000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).
☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list
 (1) the names of up to 3 registered patent attorneys or agents OR, alternatively,
 (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 Timothy H. Joyce
 2
 3

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

Boston Probes, Inc.

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Bedford, MA

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☒ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

☒ Issue Fee
☒ Publication Fee (No small entity discount permitted)
☐ Advance Order - # of Copies

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

☐ A check is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☒ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number 01-2213 (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.

☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant, a registered attorney or agent, or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature

Timothy H. Joyce

Date

7/3/08

Typed or printed name

Timothy H. Joyce

Registration No.

38,197

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



JUL 3. 2008 5:41PM

APPLIED BIOSYSTEMS LEGAL2

NO. 9041 P. 1

Case No. BP-9703D2US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Brian D. Gildea et al.

Serial No.: 10/610,337

Filed: June 30, 2003

For: **Detection of Nucleic Acid Using
Linear Beacons**

Confirmation No. 2503

Customer No. 22896

) Group Art Unit: 1637

) Examiner: Kenneth R. Horlick

**CERTIFICATE OF FACSIMILE
TRANSMISSION**

Date: July 3, 2008

I hereby certify that this correspondence is being
facsimile transmitted to the USPTO (571)273-2885
on the date indicated above.

Mila T. Kasan

(Name)

[Signature]

(Signature)

ISSUE FEE AND PUBLICATION FEE TRANSMITTAL

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1550

Sir:

Per the Notice of Allowance mailed April 4, 2008, please charge the issue fee of \$1,440.00 and publication fee of \$300.00 (for a total of \$1,740.00) for the above-referenced case to **Deposit Account No. 01-2213 (Order No. BP-9703D2US)**.

The Commissioner is hereby authorized to charge any additional fees required under 37 CFR § 1.16 and 1.17, or credit overpayment to **Deposit Account No. 01-2213 (Order No. BP-9703D2US)**.

Respectfully submitted,

Date: July 3, 2008

[Signature]
Timothy H. Joyce, Reg. No. 38,197
Agent for Applicants

Correspondence Address

Customer Number 22896
APPLIED BIOSYSTEMS
850 Lincoln Center Drive
Foster City, CA 94404
650-638-6492 (Phone)
(650) 638-6677 (Fax)